



Zoning Requirements for Tattoo Facilities

The tattoo law states in Section 44-34-20 (B):

"Prior to performing tattooing procedures, a tattoo facility must.....

(5) provide to the department a certified copy of an ordinance passed by the local governing body where the business will be located which authorizes the tattooing of persons within its jurisdiction;"

The Department is therefore requiring, as a part of the application process and as listed on Addendum A of the Application For License - Tattoo Facility, the following documentation:

"5. Letter, signed by the city/county manager or administrator or other person with authority to represent the appropriate "governing body", certifying that an attached copy of a zoning ordinance is a true copy. Furthermore, the letter must state that a named tattoo facility at a specified location is within the type of business authorized by that ordinance."

Therefore, in order to be in compliance with the law, applicants must submit to the Department a certified copy of the applicable zoning ordinance from the appropriate governing authority, along with a signed statement from that entity's representative attesting to its validity.

POSSIBLE ZONING SCENARIOS

	FACTS	OUTCOME
1	Area zoned for tattooing by statute. Facility provides a copy of the zoning ordinance and letter from the zoning authority affirming that the proposed site is zoned appropriately for tattooing.	They may be licensed
2	Same as # 1 except that the enabling statutory language is generic in nature. The zoning authority affirms in writing that tattooing is covered within a certain recognized class of businesses.	They may be licensed
3	Area not subject to zoning oversight.	They may not be licensed
4	Zoning for tattooing affirmatively denied for the area and proposed facility site.	They may not be licensed
5	No zoning statute related to tattooing businesses. (The subject is not addressed and no letter available from the zoning authority affirming that tattooing is covered within a certain recognized class of businesses.)	They may not be licensed